

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

WENDELL O. WHIDDON

PLAINTIFF

VS.

CIVIL ACTION NO. 2:09cv100-MTP

CARLOS MARTIN

DEFENDANT

ORDER DIRECTING RESPONSE TO MOTION

Presently pending before the court is a Motion for Summary Judgment [42] filed by Defendant on May 14, 2010. Plaintiff has not responded to the motion. Because the motion, if granted, could result in the dismissal of this case, the court will afford Plaintiff a final opportunity to respond to the motion.

It is, therefore, ORDERED and ADJUDGED that:

1. Plaintiff shall file his response to the motion on or before August 16, 2010; and
2. Should Plaintiff fail to respond by August 16, 2010, the motion will be considered and ruled upon without his response.

SO ORDERED AND ADJUDGED this the 29th day of July, 2010.

s/ Michael T. Parker

United States Magistrate Judge